



CITY COUNCIL REDEVELOPMENT AGENCY AGENDA

**City of Westminster
Regular Meeting
July 27, 2005**

**6:00 p.m – Council Conference Room
7:00 p.m. – Council Chambers
8200 Westminster Boulevard
Westminster, California 92683**

**MARGIE L. RICE
MAYOR**

**RUSSELL C. PARIS
Mayor Pro Tem**

**FRANK G. FRY
Council Member**

**KERMIT MARSH
Council Member**

**ANDY QUACH
Council Member**

AMERICANS WITH DISABILITIES ACT: In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk, (714) 898-3311. Notification of 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. (28 CFR 35.102-35.104 ADA Title I)

GENERAL INFORMATION

MEETINGS

Regular Meetings of the City Council/Redevelopment Agency are held the second and fourth Wednesday of each month at the hour of 6:00 p.m. (5:00 p.m. if deemed necessary) for Closed Session matters, if required. **The public session of the meeting shall commence at 7:00 p.m.** or as soon thereafter as possible. Adjourned Regular Meetings (Study Sessions) are tentatively held on the Monday following the first Wednesday of the month at 6:00 p.m.

AGENDA INFORMATION

The agenda contains a brief general description of each item to be considered. Agendas are available at the entryway of the Council Chambers. Supporting documentation to each agenda item is available in the entryway for public review.

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PUBLIC COMMENTS

Pursuant to Government Code Section 54954.3, members of the public may address the City Council/Redevelopment Agency/Public Financing Authority during each item on the agenda as called. Oral Communications is held after the Consent Calendar portion of the agenda and provides the public an opportunity to address any items of interest **not on the agenda** that are within the subject matter jurisdiction. NO action may be taken on items not listed on the agenda unless authorized by law. Comments shall be limited to three minutes per person.

To address the City Council/Redevelopment Agency on any matter, complete a "Request to Speak" form located at the entrance to the Council Chambers. Present the form to the City Clerk prior to being heard by the City Council. When speaking, please face the City Council and state your name and address for the record.

AGENDA ON THE INTERNET:

The Agenda is available at <http://www.ci.westminster.ca.us>. The agenda can be accessed on the internet on the Friday before the meeting on Wednesday.

TELEVISED MEETING SCHEDULE

Regular City Council/Agency meetings are broadcast live on Westminster Cable Channel 3 and REBROADCAST on Monday and Friday at 11:00 a.m.; Tuesday, Wednesday and Thursday at 7:00 p.m.; Wednesday at 12 noon; and Saturday and Sunday at 6:00 p.m.

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July 27, 2005

6:00 P.M.

CLOSED SESSION

PUBLIC COMMENTS MAY BE RECEIVED BY THE CITY COUNCIL/REDEVELOPMENT AGENCY
DURING ANY ITEM TO BE CONSIDERED IN CLOSED SESSION.

CALL TO ORDER:

ROLL CALL

PRESENT:

ABSENT:

CLOSED SESSION:

The City Council/Redevelopment Agency will recess to a Closed Session for the following purposes:

- 1) Conference with Legal Counsel pursuant to Government Code Section 54956.9(b): Anticipated Litigation (one potential case)

RECESS:

AGENDA

July 27, 2005

7:00 P.M.

PUBLIC COMMENTS MAY BE RECEIVED BY THE CITY COUNCIL/REDEVELOPMENT AGENCY OR PUBLIC FINANCING AUTHORITY DURING EACH ITEM ON THE AGENDA AS CALLED.

The City Council/Redevelopment Agency of the City of Westminster will regularly convene in joint session for the purpose of considering the following City Council/Redevelopment Agency Agenda items. The Westminster Public Financing Authority is also an agency on which Council serves as members. This Agency may also have items scheduled.

CALL TO ORDER

ROLL CALL: RICE, PARIS, FRY, MARSH, QUACH

PRESENT:

ABSENT:

SALUTE TO FLAG: City Attorney

INVOCATION:

REPORT OUT OF CLOSED SESSION:

The City Attorney shall determine if any actions taken by the City Council/Redevelopment Agency in Closed Session shall require a reporting on those actions as required by law (Government Code 54957.1(a) (3) (B)).

SPECIAL PRESENTATIONS:

- A. Presentation by the City and Rose Center Foundation to sponsors of the Mayor's Ball held on June 25, 2005.
- B. Resolution of Commendation to College Health Costa Mesa and College Health Enterprises
- C. Resolution of Commendations to John Garcia, Donald Hoglan, and Art Lopez for heroic efforts

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1. **CONSENT CALENDAR**

All matters listed under the Consent Calendar are considered routine and will be enacted by one vote. There will be no separate discussion of these items unless Members of the City Council/Redevelopment Agency/Public Financing Authority, the public, or staff request specific items be removed from the Consent Calendar for separate action or discussion.

ROUTINE MATTERS

- 1.1 (City Council/Redevelopment Agency) Waive reading in full of all ordinances and resolutions under consideration, and approve and adopt same by reading title only.**

RECOMMENDATION: Approve.

- 1.2 Purchase of pipeline materials for the installation, repair and maintenance of the water distribution system for FY 2005-06 (Marwan Youssef)**

RECOMMENDATION: Staff recommends that the Mayor and City Council:

- 1) Approve the yearly renewable unit bid prices from C. Wells Pipeline Materials Company;
- 2) Authorize the expenditure of \$46,800 for a one-year supply of pipeline materials for FY 2005-06; and
- 3) Reject all other bids.

- 1.3 Option Year Renewal for Procurement of Asphalt for FY 2005-06 (Marwan Youssef)**

RECOMMENDATION: Staff recommends that the Mayor and City Council renew the subject contract with Vulcan Materials for an additional year.

- 1.4 Option Year Renewal for Procurement of Automotive Repair Parts for FY 2005-06 (Marwan Youssef)**

RECOMMENDATION: Staff recommends that the Mayor and City Council authorize a purchase order for automotive repair parts in the amount of \$30,000 to Marfield Management, dba C&C Automotive Distributors.

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1. CONSENT CALENDAR (Continued)

1.5 Award of Contract for Maintenance/Service Agreement for Water Sampling for Fiscal Year 2005-06 (Marwan Youssef)

RECOMMENDATION: Staff recommends that the Mayor and City Council approve a contract with four (4) renewal option years, to Truesdail Laboratories, Inc., the lowest responsible bidder, in an amount not to exceed \$25,840.15, and authorize the City Manager to execute the agreement on behalf of the City.

1.6 Purchase of Police Department Uniforms for 2005-06 (Andy Hall)

RECOMMENDATION: Staff recommends that the Mayor and City Council authorize a purchase order to Galls' Uniform Center, Inc. in the amount of \$38,000 for the second and final option year renewal of the contract.

1.7 Renewal of police related blood test services with California Forensic Phlebotomy Inc. for FY 2005-06 (Andy Hall)

RECOMMENDATION: Staff recommends that the Mayor and City Council authorize a purchase order be issued to California Forensic Phlebotomy, Inc. (CFP) for police related blood tests in an amount not to exceed \$24,000.

1.8 (City/Agency) Consulting services agreement with Richard Zimmer pertaining to Community Development Block Grant (CDBG) and HOME projects, Planning, Public Works, and Redevelopment projects (Don Anderson/Marwan Youssef)

RECOMMENDATION: Staff recommends that the City Council/Agency Board approve an agreement with Richard Zimmer in an amount not to exceed \$50,000 for fiscal year 2005-2006 and authorize the City Manager/Executive Director to execute the agreement on behalf of the City/Agency.

1.9 Agreement between the City of Westminster and the Westminster School District for staffing of Crossing Guards at eleven (11) locations (Greg Johnson)

RECOMMENDATION: Staff recommends that the Mayor and City Council:

- 1) Approve the agreement with the Westminster School District for fiscal year 2005-2006;
- 2) Accept \$38,034.00 from the Westminster School District as their portion of the agreement; and
- 3) Authorize the City Manager to execute the agreement on behalf of the City.

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1. CONSENT CALENDAR (Continued)

1.10 Agreement between the City of Westminster and the Ocean View School District for staffing of Crossing Guard at one (1) location (Greg Johnson)

RECOMMENDATION: Staff recommends that the Mayor and City Council:

- 1) Approve the agreement with the Ocean View School District for fiscal year 2005-2006;
- 2) Accept \$2,926.00 from the Ocean View High School District as their portion of the agreement; and
- 3) Authorize the City Manager to execute the agreement on behalf of the City.

ADMINISTRATIVE ITEMS

1.11 Administrative approval of fee waiver for Orange County Health Care Agency for the use of the East and West rooms to host a town hall meeting on Wednesday, July 13, 2005 from 12:15 – 3:15 pm (Greg Johnson)

RECOMMENDATION: Staff recommends that the City Council receive and file the report.

WARRANT REGISTER

1.12 (City Council/Redevelopment Agency) Warrant Register dated June 29 through July 19, 2005 (Paul Espinoza)

RECOMMENDATION: Approve.

INFORMATION AND REPORTS

1.13 Minutes of the Commission on Aging Meetings held on April 11, May 9, and June 13, 2005 (Greg Johnson)

RECOMMENDATION: Receive and file.

1.14 Minutes of the Cultural Arts Commission meeting held on April 7, 2005 (Greg Johnson)

RECOMMENDATION: Receive and file.

1.15 Minutes of the Community Services & Recreation Commission meetings held on April 12 and May 3, 2005 (Greg Johnson)

RECOMMENDATION: Receive and file.

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1. CONSENT CALENDAR (Continued)

1.16 Minutes of the Planning Commission meeting held on June 22, 2005 (Don Anderson)

RECOMMENDATION: Receive and file.

1.17 Minutes of Traffic Commission meeting held on July 5, 2005 (Marwan Youssef)

RECOMMENDATION: Receive and file.

1.18 Community Development Monthly Activity Report – June 2005 (Don Anderson)

RECOMMENDATION: Receive and file.

1.19 (City/Agency) Treasurer's Report for June, 2005 (Paul Espinoza)

RECOMMENDATION: Receive and file.

END OF CONSENT CALENDAR

2. ORAL COMMUNICATIONS

At this time members of the public may address the City Council/Redevelopment Agency regarding any items of interest not on the agenda that are within the subject matter jurisdiction of the City Council. NO action may be taken on items not listed on the agenda unless authorized by law. Comments shall be limited to three minutes per person.

3. COMMISSION/COMMITTEE ITEMS SUBJECT TO REVIEW - None

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4. PUBLIC HEARINGS

ADDRESSING THE CITY COUNCIL DURING PUBLIC HEARINGS: After the public hearing is opened, persons speaking in favor will be heard first, followed by those persons speaking in opposition; and then persons speaking in rebuttal. Only those persons who have spoken in favor will be permitted to speak in rebuttal.

If a spokesperson is designated to speak in favor or in opposition, that spokesperson will have twelve (12) minutes to speak. Thereafter, each person speaking in favor or in opposition will have three (3) minutes to speak. The total time for speaking in favor or in opposition shall not exceed 30 minutes. Those persons speaking in rebuttal will have three minutes each, or a total of 20 minutes for rebuttal. The City Council may use its discretion to allow a speaker to exceed time limits.

NOTE: If a challenge is made by any party in court from actions arising out of a public hearing, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice or in written correspondence delivered at the public hearing or prior thereto.

4.1 VACATION OF RIGHT-OF-WAY RELATED TO TRACT MAP NO. 16669 (Marwan Youssef)

Time set for a public hearing to consider a request from Park Street Development, LLC, to vacate a portion of Park Street along the south side between Locust Street and Chestnut Street. This right-of-way vacation is associated with a 12-unit single-family housing development and Tract Map No. 16669. In order to complete the processing of Tract Map No. 16669, this portion of Park Street will need to be vacated.

RECOMMENDATION: Staff recommends that the Mayor and City Council:

- 1) Adopt Resolution No. 3931 entitled, "A Resolution of the Mayor and City Council of the City of Westminster, California, approving the vacation of right-of-way relating to Tract Map No. 16669", and waive further reading;
- 2) Direct the City Clerk to record a certified copy of Resolution No. 3931 with the County Recorder's office; and
- 3) Accept Tract Map No. 2003-197 and authorize the City Clerk to sign and seal the map.

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4. PUBLIC HEARINGS (Continued)

4.2 ADOPTION AND AMENDMENT OF THE 2004 EDITION OF THE CALIFORNIA ELECTRICAL CODE (Soroosh Rahbari)

Time set for a public hearing for the purpose of considering the proposed amending the 2004 Edition of the California Electrical Code

RECOMMENDATION: Staff recommends that the Mayor and City Council adopt Ordinance No. 2387 entitled, "An Ordinance of the Mayor and City Council of the City of Westminster to amend Title 15 of the Westminster Municipal Code by deleting Chapter 15.12 to repeal the previous edition of the Electrical Code and to replace with a new Chapter 15.12 adopting and amending the 2004 Edition of the California Electrical Code", and waive further reading.

5. MATTERS FROM COUNCIL/AGENCY/AUTHORITY MEMBERS

5.1 Council/Agency Member Items

5.2 Schedule a study session meeting for a presentation from Public Cable Television Authority (PCTA) (Mayor Rice)

RECOMMENDATION: That the City Council select a date and time for a study session to hear a presentation from PCTA on the proposed regionalization of Channel 3.

5.3 Policies and Procedures for City Boards, Commissions and Committees (Mayor Rice)

RECOMMENDATION: Staff recommends that the Mayor and City Council take under consideration:

- 1) Adoption of the City's Handbook for City Boards, Commissions and Committees – July, 2005, and/or provide direction to staff;
- 2) Introduction of Ordinance No. 2389 entitled, " An Ordinance of the Mayor and City Council of the City of Westminster amending the Westminster Municipal Code relating to various Boards, Commissions and Committees", and waiver further reading;
- 3) Adoption of Resolution No. 3932 entitled, "A Resolution of the Mayor and City Council of the City of Westminster defining the role of the Advisory Committee for the Disabled", and waive further reading; and
- 4) Adoption of Resolution No. 3933 entitled, "A Resolution of the Mayor and City Council of the City of Westminster defining the role of the Financial Review Committee", and waive further reading.

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5. MATTERS FROM COUNCIL/AGENCY/AUTHORITY MEMBERS (Continued)

5.4 Discussion on updating Resolution No. 2491 regarding monthly expense reimbursement and consideration of mileage reimbursement for Mayor and Council Members. (Mayor Rice)

5.5 Consideration of the adoption of Resolution No. 3934 regarding the use of eminent domain (Mayor Pro Tem Paris/Council Member Marsh)

6. MATTERS FROM CITY MANAGER/EXECUTIVE DIRECTOR

6.1 Two-story 17,000 square foot commercial building located at 15496 Magnolia Street; Owner: Charles Manh (Don Anderson)

RECOMMENDATION: Staff recommends that the Mayor and City Council consider and approve the elevations and site plan for the commercial building located at 15496 Magnolia Street.

7. WRITTEN COMMUNICATIONS (Public)

7.1 Request for Waiver of Banner Hanging Fee and Co-Host Event

RECOMMENDATION: Staff recommends that the Mayor and City Council take under consideration a request from Westminster Chamber of Commerce to:

- 1) Co-host the Westminster Chamber of Commerce 6th Annual Taste and Tour of Little Saigon to be held on Thursday, September 29, 2005 by allowing WTV-3 to videotape the reception and dinner; and
- 2) Waiver the fee to hang a banner across Westminster Boulevard to advertise the Taste & Tour of Little Saigon.

8. LEGISLATIVE ITEMS – None

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9. COMMISSION AND COMMITTEE ITEMS

9.1 Resignation of Bob Crossley from the Community Services and Recreation Commission (Mayor Pro Tem Paris appointee)

RECOMMENDATION: Staff recommends that the Mayor and City Council accept the resignation of Bob Crossley from the Community Services and Recreation Commission and direct the City Clerk to post the required Notice of Vacancy.

10. COUNCIL/AGENCY ADJOURNMENT

DECLARATION: This agenda was posted on the Bulletin Board outside of the Council Chambers, where completely accessible to the public, at least 72 hours in advance of the City Council/Redevelopment Agency meeting.


Marian Contreras, City Clerk/Agency Secretary